

## **§ 73.4260**

### **§ 73.4260 Teaser announcements.**

See Public Notice, FCC 62-592, dated June 1, 1962. 27 FR 5274, June 5, 1962.

[44 FR 36389, June 22, 1979]

### **§ 73.4265 Telephone conversation broadcasts (network and like sources).**

See Memorandum Opinion and Order, FCC 75-1406, adopted December 18, 1975. 57 FCC 2d, 334; 41 FR 816, January 5, 1976.

[44 FR 36389, June 22, 1979]

### **§ 73.4266 Tender offer and proxy statements.**

See *Policy Statement*, MM Docket 85-218, FCC 86-67, adopted January 30, 1986. 51 FR 9794, March 21, 1986.

[51 FR 26251, July 22, 1986]

### **§ 73.4267 Time brokerage.**

(a) See Policy Statement, Docket 78-355, FCC 80-621, adopted October 21, 1980. 82 FCC 2d 107.

(b) See Report and Order, MM Docket 91-140, FCC 92-97, adopted March 12, 1992. 7 FCC Rcd 2755; 57 FR 18089, April 29, 1992.

(c) See Memorandum Opinion and Order and Further Notice of Proposed Rule Making, MM Docket 91-140, FCC 92-361, adopted August 5, 1992. 7 FCC Rcd 6387; 57 FR 42701, September 16, 1992.

[47 FR 3792, Jan. 27, 1982, as amended at 59 FR 52087, Oct. 14, 1994]

### **§ 73.4275 Tone clusters; audio attention-getting devices.**

See Public Notice, FCC 76-610, dated July 2, 1976. 60 FCC 2d 920; 41 FR 28582, July 12, 1976.

[44 FR 36389, June 22, 1979]

### **§ 73.4280 Character evaluation of broadcast applicants.**

(a) See Report and Order and Policy Statement, Gen. Docket 81-500, BC Docket 78-108, FCC 85-648, adopted December 10, 1985. 102 FCC 2d 1179; 51 FR 3049, January 23, 1986.

(b) See Policy Statement and Order, FCC 90-195, adopted May 10, 1990. 5 FCC Rcd 3252, 55 FR 23082, June 6, 1990.

(c) See Memorandum Opinion and Order, FCC 91-146, adopted May 1, 1991.

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6 FCC Rcd 3448, 56 FR 25633, June 5, 1991.

(d) See Memorandum Opinion and Order, FCC 92-448, adopted September 18, 1992. 7 FCC Rcd 6564, 57 FR 47410, October 16, 1992.

[59 FR 52087, Oct. 14, 1994]

## **Subpart I—Competitive Bidding Procedures**

SOURCE: 63 FR 48629, Sept. 11, 1998, unless otherwise noted.

### **§ 73.5000 Services subject to competitive bidding.**

(a) Mutually exclusive applications for new facilities and for major changes to existing facilities in the following broadcast services are subject to competitive bidding: AM; FM; FM translator; analog television; low power television; and television translator. Mutually exclusive applications for new facilities and for major changes to existing facilities in the Instructional Television Fixed Service (ITFS) are also subject to competitive bidding. The general competitive bidding procedures found in 47 CFR part 1, subpart Q will apply unless otherwise provided in 47 CFR part 73 and Part 74.

(b) Mutually exclusive applications for broadcast channels in the reserved portion of the FM band (Channels 200-220) and for television broadcast channels reserved for noncommercial educational use are not subject to competitive bidding procedures.

### **§ 73.5001 Competitive bidding procedures.**

(a) Specific competitive bidding procedures for broadcast service and ITFS auctions will be set forth by public notice prior to any auction. The Commission may also design and test alternative procedures, including combinatorial bidding and real time bidding. See 47 CFR 1.2103 and 1.2104.

(b) The Commission may utilize the following competitive bidding mechanisms in broadcast service and ITFS auctions:

(1) *Sequencing*. The Commission will establish and may vary the sequence in which broadcast service construction